

FILED
OCT 29 2010
CLERK, U.S. DISTRICT COURT
RICHMOND, VA

Civil Action No. 3:09CV357-HEH

Plaintiff, a federal inmate, submitted this action and requested leave to proceed *in forma pauperis*. Plaintiff is a prolific litigator of frivolous litigation. See *Riches v. Karpinski*, Nos. 3:08cv00347, 3:08cv00346, 2008 WL 2564785, at *3 (W.D. Wis. June 25, 2008) (noting, in Plaintiff's 1,834th lawsuit, that his allegations of imminent harm carried no weight). By Memorandum Opinion and Order entered on September 3, 2009, the Court dismissed the present action without prejudice. On August 16, 2010, the Court received a motion from Plaintiff pursuant to Federal Rule of Civil Procedure 60(b). In his Rule 60(b) motion, Plaintiff requests that the Court reopen the action and allow a number of other inmates to intervene. "The remedy provided by [Rule 60(b)], however, is extraordinary and is only to be invoked upon a showing of exceptional circumstances." *Compton v. Alton S.S. Co., Inc.* 608 F.2d 96, 102 (4th Cir. 1979) (citing cases). Plaintiff fails to identify any exceptional circumstances that would warrant relief under Rule 60(b). Accordingly, his motion under Rule 60(b) and the accompanying request to permit other

inmates to intervene will be denied.

An appropriate Order shall accompany this Memorandum Opinion.

/s/

Henry E. Hudson
United States District Judge

Date: Oct 28, 2010
Richmond, Virginia